

CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: 01/06/2010 Name: K. Shannon Mrksich Signature: /K. Shannon Mrksich/

Our Case No. 12854/41
WARF Ref. No. P03170US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Helgeson *et al.*)
Application No. 10/755,966) Examiner: Medina A. Ibrahim
Filing Date: 1/12/2004) Group Art Unit No. 1638
For POTATO GENES FOR)
RESISTANCE TO LATE BLIGHT)

AMENDMENT AND REQUEST FOR RECONSIDERATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of November 16, 2009, please reconsider the rejection in view of the amendments and remarks presented herein.

Amendments to the Claims are set forth in the Listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.